



6/30/04

2655

App. No. 09/823,134
Information Disclosure Statement
Filed June 28, 2004

Attorney Docket No. 01196/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant : S. NAGATOMO et al.

Serial No. : 09/823,134

Filed : March 30, 2001

For : APPARATUS FOR DETECTING
A DISCONTINUITY IN A
RECORDING TRACK DUE TO THE
NON-CIRCULARITY OF THE
RECORDING MEDIUM AND
PROCESSING DATA TO OVERCOME
DISCONTINUITY

Art Unit : 2655

Examiner : Gautam Patel

Confirm. No.: 8674

Customer No.: 01933

**INFORMATION DISCLOSURE STATEMENT
AND
STATEMENTS UNDER 37 CFR 1.97(E)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R :

Submitted herewith are:

- (1) Copy of a Chinese First Notification of Office Action dated April 2, 2004 issued from the Patent Office of the People's Republic of China in a counterpart Chinese application;

CERTIFICATE OF EXPRESS MAILING

Express Mail Mailing Label
No.: EV 466259953 US
Date of Deposit: 6/28/04

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marilyn Stoltz
Marilyn Stoltz

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

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- (2) English translation of said Chinese First Notification of Office Action dated April 2, 2004;
- (3) Copy the cited publication;
- (4) Form PTO/SB/08A. It is requested that an initialed copy of the form PTO/SB/08A be returned to indicate that the publication listed therein has been considered and made of record.

The cited publication is considered relevant or material to the patentability of the present invention in view of the citation thereof in said communication and for the reasons stated in said communication.

An English translation of said Chinese First Notification of Office Action dated April 2, 2004 is enclosed, thereby satisfying the requirements for a concise explanation of relevance. According to MPEP 609A(3), if an English translation of a foreign language Office Action is provided, a concise explanation of pertinency of the cited art can be omitted.

STATEMENT UNDER 37 CFR 1.97(e) (1)


Each item of information contained in this Information Disclosure Statement was first cited in an Official Action from the Chinese Patent Office in a counterpart Chinese application

not more than three months prior to the filing of the present Information Disclosure Statement. Said Official Action bears a mailing date of April 2, 2004.

It is respectfully requested that the attached publication be considered and made of record.

It is respectfully believed that no fees are due. However, if any fees are due, authorization is given to charge any fees which may be required to Deposit Account No. 06-1378.

Respectfully submitted,



Robert P. Michal
Reg. No. 35,614

Dated: June 28, 2004

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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number		09/823,134	
		Filing Date		March 30, 2001	
		First Named Inventor		S. NAGATOMO	
		Group Art Unit		2655	
		Examiner Name		Gautam Patel	
Sheet	1	of	1	Attorney Docket Number	01196/LH



U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion

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FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		WO	99/62029		Otterstein et al.	12/2/1999		

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

DATE MAILED: June 28, 2004